

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re	:
	:
	:
CALPINE CORPORATION, <i>et al.</i>,	:
	:
	:
	:
	:
-----X	
HSBC BANK USA, NATIONAL	:
ASSOCIATION, AS INDENTURE	:
TRUSTEE, THE BANK OF NEW YORK,	:
AS ADMINISTRATIVE AGENT,	:
WILMINGTON TRUST FSB, AS	:
INDENTURE TRUSTEE, WILMINGTON	:
TRUST COMPANY, AS ADMINISTRATIVE	:
AGENT, AND MANUFACTURERS	:
& TRADERS TRUST COMPANY,	:
AS INDENTURE TRUSTEE,	:
	:
Appellants,	:
	:
– against –	:
	:
	:
CALPINE CORPORATION, THE OFFICIAL	:
COMMITTEE OF UNSECURED	:
CREDITORS OF CALPINE CORPORATION,	:
AND THE OFFICIAL COMMITTEE OF	:
EQUITY SECURITY HOLDERS,	:
	:
Appellees.	:
-----X	

Chapter 11

Case No. 05-60200 (BRL)

(Jointly Administered)

Case No. 1:07-cv-03088 (GBD)

caption continued on next page

**CALPINE CORPORATION, THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS OF CALPINE CORPORATION,
AND THE OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS,**

Appellants,

– against –

**HSBC BANK USA, NATIONAL
ASSOCIATION, AS INDENTURE
TRUSTEE, THE BANK OF NEW YORK,
AS ADMINISTRATIVE AGENT,
WILMINGTON TRUST FSB, AS
INDENTURE TRUSTEE, WILMINGTON
TRUST COMPANY, AS ADMINISTRATIVE
AGENT, AND MANUFACTURERS
& TRADERS TRUST COMPANY,
AS INDENTURE TRUSTEE,**

Appellees.

AFFIDAVIT OF SERVICE

[illegible]

Donald Etienne, being duly sworn, hereby deposes and says:

1. I am over 18 years of age and am not a party to the above-captioned proceedings. I am employed by Weil, Gotshal & Manges LLP, having offices at 767 Fifth Avenue, New York, New York 10153.

2. On the 4th day of June 2007, I caused true and correct copies of the following documents to be served by Federal Express upon the parties listed on Exhibit A hereto:

✓ *Opening Brief of Appellant Manufacturers & traders Trust Company*

/s/ Donald Etienne
Donald Etienne

Sworn to before me this
8th day of June, 2007

/s/ Heather L. Aaronson
Notary Public, State of New York
No. 01AA6117801
Qualified in New York County
Commission Expires November 1, 2008

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